

HB 1103 -- ALTERNATIVES-TO-ABORTION AGENCIES

SPONSOR: Gatschenberger

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Health Care Policy by a vote of 7 to 3.

This bill specifies that the constitutions and laws of the United States and Missouri must be interpreted, construed, applied, and enforced to fully protect the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference.

The bill defines "alternatives-to-abortion agency" as:

- (1) A maternity home as defined in Section 135.600, RSMo;
- (2) A pregnancy resource center as defined in Section 135.630; or
- (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist them in carrying their unborn children to term instead of having abortions and to assist the women in caring for their dependent children or placing their children for adoption.

A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any measure that adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech. These provisions cannot preclude or preempt a political subdivision from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation if the alternatives-to-abortion agency is treated in the same manner as a similarly situated agency and that the authority is not used to circumvent the intent of these provisions.

A court may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney fees, costs, and expenses to enforce these provisions.

PROPONENTS: Supporters say that the bill protects pregnancy resource centers from having the government dictate how to care for their clients. A woman is autonomous and has the right to know all available information before deciding what is the best decision for her and her child. The bill prevents localities from regulating pregnancy resource centers and what information the centers provide to clients or use in advertisements. Supporters agree the First Amendment right to free speech protects this form of speech,

however this bill helps to prevent any restrictions by local governmental entities.

Testifying for the bill were Representative Gatschenberger; Campaign Life Missouri; Diane Vaughan, Thrive St. Louis; Missouri Catholic Conference; Missouri Right to Life; Bonnie Lee, RN BSN; Joanne Schrader; Kathleen Forck; Missouri Family Network; Alliance for Life; Americans United for Life; and Missouri Baptist Convention, Christian Life Commission.

OPPONENTS: Those who oppose the bill say that centers do not provide factually accurate information to clients, including scientifically inaccurate medical information. Client misinformation puts the client's health at unnecessary risk. This is a truth in advertising issue and a majority of centers provide false and misleading information to women who rely on the misinformation in making important medical decisions.

Testifying against the bill were NARAL Pro-Choice Missouri; Dr. Colleen McNicholas; ACLU of Eastern Missouri; and Planned Parenthood Advocates in Missouri.